

No. PD-0805-16

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
12/9/2016
ABEL ACOSTA, CLERK

DAVID WAYNE CAHILL,

Appellant

v.

THE STATE OF TEXAS,

Appellee

Appeal from Collin County

* * * * *

**STATE'S MOTION TO EXTEND TIME FOR
FILING ITS BRIEF**

* * * * *

Stacey M. Soule
State Prosecuting Attorney
Bar I.D. No. 24031632

John R. Messinger
Asst. State Prosecuting Attorney
Bar I.D. No. 24053705

P. O. Box 13046
Austin, Texas 78711
512/463-1660 (Telephone)
512/463-5724 (Fax)

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Comes now the State of Texas, by and through its State Prosecuting Attorney, and respectfully submits to the Court its motion to extend the time for filing its brief to and including the 27th day of December, 2016. The State's brief is currently due on December 9, 2016. While this brief has been pending, a new State Prosecuting Attorney was selected and took office and the undersigned attorney prepared and appeared for oral argument in PD-0244-16, Andre Jammar Ash v. The State of Texas. No previous motions to extend this deadline have been filed.

WHEREFORE, the State prays that its motion to extend the time for filing its petition until December 27, 2016, be granted.

Respectfully submitted,

/s/ John R. Messinger
JOHN R. MESSINGER
Assistant State Prosecuting Attorney
Bar I.D. No. 24053705

P.O. Box 13046
Austin, Texas 78711
512/463-1660 (Telephone)
512/463-5724 (Fax)

CERTIFICATE OF SERVICE

A copy of the foregoing State's Motion to Extend the Time for Filing its Brief has been eFiled on this the 9th day of December, 2016, and served on the following:

Kristin R. Brown
18208 Preston Road
Dallas, Texas 75252
kbrown@idefenddfw.com

Emily Johnson-Liu
Asst. Criminal District Attorney
2100 Bloomdale Rd., Suite 200
McKinney, TX 75071
ejohnson-liu@co.collin.tx.us

/s/ John R. Messinger
John R. Messinger
Assistant State Prosecuting Attorney